

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

REX – REAL ESTATE EXCHANGE,  
INC.,

Plaintiff,

v.

ZILLOW, INC., et al.,

Defendants.

C21-0312 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The motion to seal, docket no. 243, filed by plaintiff REX – Real Estate Exchange, Inc. (“REX”) is GRANTED in part and DENIED in part as follows.

a. The motion is GRANTED as it relates to Exhibits C, D, and F to the Declaration of Carl Goldfarb, docket nos. 246-3, 246-4, and 246-5, and the redacted portions of REX’s response to Defendants’ motion to compel, docket no. 246, and these documents shall remain under seal.

b. The motion is DENIED as it relates to Exhibits A, B, G, and H to the Declaration of Carl Goldfarb, docket nos. 246-1, 246-2, 246-6, and 246-7, and the Clerk is DIRECTED to unseal these documents. The Zillow Defendants argue that public disclosure of Exhibit A, an internal email communication between Zillow employees containing an alleged strategy discussion, and Exhibit B, a short excerpt from the November 2, 2022, deposition of Zillow’s Rule 30(b)(6) designee, would cause it competitive harm. REX similarly contends that public disclosure of Exhibit G, the Declaration of REX’s co-founder Lynley Sides, and Exhibit H, a copy of REX’s nondisclosure agreement with Patent Insurance

1 Underwriting Services (“PIUS”), contain confidential information about REX’s  
2 business and business dealings. Having reviewed these exhibits, REX’s motion to  
3 seal, docket no. 243, and the Zillow Defendants’ response, docket no. 251, the  
4 Court concludes that the parties have not shown good cause for these particular  
5 exhibits to remain under seal. *See Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809  
6 F.3d 1092, 1097 (9th Cir. 2016) (explaining that parties must satisfy the “good  
7 cause” standard “for sealed materials attached to a discovery motion unrelated to  
8 the merits of a case”).

9 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
10 record.

11 Dated this 2nd day of February, 2023.

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Ravi Subramanian  
Clerk

s/Laurie Cuaresma  
Deputy Clerk